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Dated: 11/9/06

Signature:

Peter C. Lauro
(Peter C. Lauro)

Docket No.: 59911CON(49950)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Flavio Alterthum, *et al.*

Application No.: 09/620,060

Confirmation No.: 4257

Filed: July 21, 2000

Art Unit: 1634

For: **RECOMBINANT CELLS THAT HIGHLY EXPRESS
CHROMOSOMALLY-INTEGRATED
HETEROLOGOUS GENES**

Examiner: Gary Jones

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIEW OF PATENT TERM EXTENSION PURSUANT TO
37 C.F.R. §§ 1.181 AND 1.704(c)(8)**

Dear Sir:

This is a Petition for Review of Patent Term Extension under 37 C.F.R. §§ 1.181 and 1.704(c)(1)(8) to correct the Patent Term Extension for the above-referenced patent application. It is respectfully submitted that Patent Term Extension of zero (0) days accorded by the Patent Office to the above-referenced application is not correct.

Applicants respectfully request appropriate and equitable patent term extension, pursuant to 37 C.F.R. § 1.704(c)(8), as set forth below. Attached to this Petition as **Appendix A** is a copy of the Patent Term Extension History obtained from Private PAIR (the application was filed prior to November 29, 2000 and, therefore, was not published).

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STATEMENT OF FACTS

1. The instant application was filed on July 21, 2000 and is a continuation of U.S. Application No. 09/134,403, filed August 14, 1998, issued as U.S. Patent 6,107,093, which is a continuation of U.S. Application No. 08/363,868, filed December 17, 1994, issued as U.S. Patent 5,821,093, which is a continuation-in-part of U.S. Application No. 08/013,658 filed


instant application be extended by at least 823 days, which is the difference between 1,115 days of Patent Office delay and 292 days of Applicants' delay.

Applicants submit that the instant Petition is being filed promptly with payment of the issue fee, on November 9, 2006. Accordingly, the instant Petition is considered timely filed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 59911CON(49950). A duplicate copy of this paper is enclosed.

Dated: November 9, 2006

Respectfully submitted,

By 

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